

012704

15992 U.S. PTO

PTO/SB/05 (06-03)

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	21558
First Inventor	Hoffmann, et al.
Title	NEW CRYSTALLINE...
Express Mail Label No.	EL912164160US

10/16/2004
22390

012704

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

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2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
3. <input checked="" type="checkbox"/> Specification [Total Pages <u>41</u>] (preferred arrangement set forth below)	a. <input type="checkbox"/> Computer Reader Form (CRF)
- Descriptive title of the invention	
- Cross Reference to Related Applications	
- Statement Regarding Fed sponsored R & D	
- Reference to sequence listing, a table, or a computer program listing appendix	
- Background of the Invention	
- Brief Summary of the Invention	
- Brief Description of the Drawings (if filed)	
- Detailed Description	
- Claim(s)	
- Abstract of the Disclosure	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>8</u>]	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
5. Oath or Declaration [Total Sheets <u>3</u>]	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
a. <input checked="" type="checkbox"/> Newly executed (original or copy)	a. <input type="checkbox"/> Computer Reader Form (CRF)
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)	b. Specification Sequence Listing on:
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ACCOMPANYING APPLICATION PARTS

9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	Power of Attorney
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement	<input type="checkbox"/> English Translation Document (if applicable)
11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
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14. <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
15. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	
16. <input type="checkbox"/> Other:	
17. <input type="checkbox"/> Other:	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Prior application information:

Examiner _____

Art Unit: _____

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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Name (Print/Type)	Kimberly J. Prior	Registration No. (Attorney/Agent)	41483
Signature	Kimberly J. Prior		
	Date	1/27/2004	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Hoffmann-La Roche Inc.
340 Kingsland Street
Nutley, NJ 07110
Case Docket 21558
January 27, 2004

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the patent application of

Inventors: Torsten Hoffmann, Fabienne Hoffmann-Emery, Sonja Nick,
Urs Schwitter, Pius Waldmeier

For: **NEW CRYSTALLINE MODIFICATIONS OF 2-(3,5-BIS-TRIFLUOROMETHYL-PHENYL)-N-[6-(1,1-DIOXO-1 λ ⁶-THIOMORPHOLIN-4-YL)-4-(4-FLUORO-2-METHYL-PHENYL)-PYRIDIN-3-YL]-N-METHYL-ISOBUTYRAMIDE**

1. The fee has been calculated as shown below:

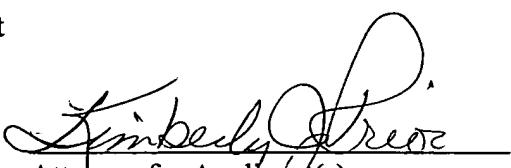
CLAIMS				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
<u>TOTAL CLAIMS</u>	30 - 20	10	x \$18	180.00
<u>INDEP. CLAIMS</u>	3- 3	0	x \$86	---
<u>MULTIPLE DEPENDENT CLAIMS PRESENTED</u>		+ \$290		
<u>BASIC FEE</u>				\$770.00
				<u>TOTAL \$950.00</u>

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(Reg. No. 41483)

138426

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Marta Swaryczewsky

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Papers Submitted for Case Docket 21558: Patent Application Transmittal Form, Application Data Sheet, Fee Transmittal Form, Specification - 41 pgs., Declaration - 3 pgs., Drawings - 8 pgs. (Figures 1-8)